

REMARKS

Claims 17-38 are pending in the subject application upon entry of this Amendment. Claims 17 and 31 have been amended, claims 37 and 38 have been added, and no claims have been cancelled herein. Claims 22-30, 35, and 36 stand withdrawn.

Support for Claim Amendments and Added Claims:

Claim 17 has been amended herein to delete the term “optionally” so as to in effect replace “optionally a turmeric component” with --a turmeric component--. Claim 31 has been amended herein so as to correspond to presently amended claim 17, from which it depends. Support for the amendments to claims 17 and 31 are provided by the specification as a whole and, in particular, by page 3, lines 13-23 of the specification.

Support for added claims 37 and 38 is provided by the specification as a whole and, more particularly, by page 3, lines 28-32 of the specification.

It is respectfully submitted that the amendments herein do not represent the entry of new matter into the application. Entry and consideration of the present Amendment are respectfully requested.

Anticipation Rejection:

Claims 17-20 and 32-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,358,970 (**Ruff et al.**). This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

The present claims are drawn to a flavouring composition that comprises both glycine hydrochloride and a turmeric component.

Ruff et al. provides no disclosure or suggestion with regard to flavouring compositions that include both glycine hydrochloride and a turmeric component.

In light of the amendments herein and the preceding remarks, Applicants' claims are believed to be unanticipated by and patentable over Ruff et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

Obviousness Rejections:

I. Claim 31 - Ruff et al.

Claim 31 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Ruff et al. This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

The present claims are drawn to a flavouring composition that comprises both glycine hydrochloride and a turmeric component.

As discussed previously above, Ruff et al. provides no disclosure or suggestion with regard to flavouring compositions that include both glycine hydrochloride and a turmeric component.

In light of the amendments herein and the preceding remarks, Applicants' claims are believed to be unobvious and patentable over Ruff et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

II. Claims 17-21 and 31-34 - Gusman et al.

Claims 17-21 and 31-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 3,903,255 (**Gusman et al.**). This rejection is respectfully traversed in light of the amendments herein and the following remarks.

The present claims are drawn to a flavouring composition that comprises both glycine hydrochloride and a turmeric component.

Gusman et al. provides no disclosure or suggestion with regard to flavouring compositions that include both glycine hydrochloride and a turmeric component.

In light of the amendments herein and the preceding remarks, Applicants' claims are believed to be unobvious and patentable over Gusman et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

III. Claims 17-21 and 31-34 - Goldscher.

Claims 17-21 and 31-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 4,163,803 (**Goldscher**). This rejection is respectfully traversed in light of the amendments herein and the following remarks.

Goldscher discloses reducing the bitterness associated with curcumin-containing turmeric or derivatives of turmeric by adding glycine thereto. While Goldscher discloses adjusting the weight ratio of glycine to turmeric, Goldscher discloses and teaches starting with an initial glycine to turmeric weight ratio of 0.1 to 5. See the Abstract and column 2, lines 3-16 of Goldscher.

The flavouring compositions of Applicants' claims have a weight ratio of turmeric component to glycine hydrochloride of **less than 1:5**, which is equivalent to **less than 0.2:1**. Goldscher discloses and teaches an initial glycine to turmeric weight ratio of 0.1 to 5, which corresponds to an initial turmeric to glycine weight ratio of **50:1**, which is **250 times greater than** the upper threshold value below which the weight ratio of turmeric component to glycine hydrochloride of Applicants' present claims is selected. In light of the substantially greater initial weight ratio of turmeric to glycine disclosed by Goldscher, a skilled artisan would not be reasonably motivated to modify Goldscher in an attempt to somehow arrive at the flavouring compositions of Applicants' present claims.

Goldscher discloses that glycine exists in many forms including glycine hydrochloride. See column 1, line 60 through column 2, line 2 of Goldscher. Based on the disclosure of Goldscher, Applicants submit that Goldscher appears to be using glycine for its sweet taste to offset the bitterness associated with turmeric. Glycine hydrochloride has a salty taste, as is known to the skilled artisan. In addition, Goldscher discloses and teaches an initial turmeric to glycine weight ratio of 50:1. As discussed above, the initial turmeric to glycine weight ratio disclosed by Goldscher is 250 times greater than the upper threshold value (0.2:1) below which the weight ratio of turmeric component to glycine hydrochloride of Applicants' present claims is selected. As such, in light of the disclosure of Goldscher, it is respectfully submitted that a skilled artisan would not be reasonably motivated to select salty tasting glycine hydrochloride, over sweet tasting glycine, and then use salty tasting glycine hydrochloride in a

flavouring composition having a weight ratio of turmeric component to glycine hydrochloride of less than 1:5 (equivalently, less than 0.2:1).

In light of the amendments herein and the preceding remarks, Applicants' claims are believed to be unobvious and patentable over Goldscher. Reconsideration and withdrawal of the present rejection is respectfully requested.

Added Claims 37 and 38:

Added claims 37 and 38 are believed to be patentable at least for the same reasons as discussed previously herein. Remarks in particular with regard to Goldscher and claims 37 and 38 are provided as follows.

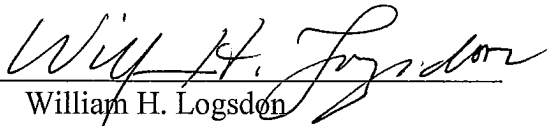
Goldscher provides no disclosure or suggestion with regard to the flavouring compositions of Applicants' present claims 37 and 38, in which the weight ratio of turmeric component to glycine hydrochloride thereof, which is less than 1:5 (equivalently, less than 0.2:1), is selected such that an aqueous composition formed by dissolving 1 wt.% or 0.5 wt.% of the flavouring composition in deionised water has a pH of less than 5.0. As discussed above, the initial turmeric to glycine weight ratio disclosed by Goldscher is 250 times greater than the upper threshold value (0.2:1) below which the weight ratio of turmeric component to glycine hydrochloride of Applicants' present claims is selected. In light of the substantially greater initial weight ratio of turmeric to glycine disclosed by Goldscher, it is respectfully submitted that a skilled artisan would not be motivated to somehow arrive at the flavouring composition of Applicants' present claims 37 and 38, in which the weight ratio of turmeric to glycine hydrochloride, which is less than 1:5, is selected such that an aqueous composition formed by dissolving 1 wt.% or 0.5 wt.% of the flavouring composition in deionised water has a pH of less than 5.0.

Application No. 10/577,449
Paper Dated: September 16, 2011
In Reply to USPTO Correspondence of March 18, 2011
Attorney Docket No. 5916-061197

CONCLUSION

In light of the amendments herein and the preceding remarks, Applicants' presently pending claims are believed to define an invention that is unanticipated, unobvious and hence, patentable. Reconsideration of the rejections and allowance of all of the presently pending claims are respectfully requested.

Respectfully submitted,
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